IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.20382 of 2006

Dated: February 23, 2007

Between:

Jeelani Mohammed, S/o. Younus, aged 17 years,
Occ: Student, studying Senior Intermediate,
R/o. Avanigadda Village & Mandal, Krishna
District.

… Petitioner

And

Board of Intermediate Education, Andhra –
Pradesh, rep. by its Secretary, Nampally,
Hyderabad, and another.

… Respondents

Order:

This Writ Petition has been filed questioning the letter dated 29-08-2006 addressed by the second respondent to the petitioner informing that there is no change in the marks awarded to him earlier, even after re-verification of his answer script, and a consequential direction to the respondents to revalue his answer script.

2. Facts of the case in brief are:

Petitioner appeared for Intermediate I year examinations in March 2006, wherein there were six subjects in all. He secured the following marks. English – 94 out of 100, Sanskrit – 99 out of 100, Maths I (A) – 72 out of 75, Maths I (B) – 75 out of 75, Physics – 60 out of 60 and Chemistry – 60 out of 60. He secured maximum marks in three subjects. Dissatisfied with the marks he secured in Mathematics I (A), he appeared for improvement examination in advanced supplementary examinations in May 2006. In the said examination, he secured 74 marks out of 75. Aggrieved by the marks he secured in the said subject, he applied to the respondents for re-verification of his answer script. It is stated that he received memo dated 26-07-2006 along with the re-verified answer script, wherein it was found that the examiner awarded only one mark to the 7th question in Section – A of the said paper.

3. The case of the petitioner is that he has fared well in the advanced supplementary examinations and was quite confident that he would secure 75 marks out of 75 in Mathematics I (A), but to his dismay,
he secured 74 marks. His grievance is that the examiner awarded only one mark to the 7th question in Section-A instead of two marks, though he had applied the correct formula to the question asked and had answered it correctly.

4. Heard learned counsel for the petitioner and learned Standing Counsel appearing on behalf of respondents.

5. Learned counsel for the petitioner submits that though the petitioner has answered question No.7 correctly, the examiner failed to

value the same in a right perspective, which shows that the valuation is erratic.

6. Respondents have filed counter affidavit stating that pursuant to the request made by the petitioner for re-verification of his answer script in Mathematics I (A), the same was re-verified twice, i.e. once by the revaluation board consisting of a senior lecturer and two lecturers, and the second time, by the subject expert. It is stated that the experts opined that there is no change in the marks awarded by the examiner at the spot valuation. Accordingly, memo dated 26-07-2006 was sent to the petitioner. It is further stated that the examiner has valued the answer given by the petitioner to question No.7 in accordance with the scheme of valuation prepared by subject experts in Mathematics.

7. It is to be seen that as per the request of the petitioner to re-verify his answer script of Mathematics I (A) respondents have re-verified it twice, once by the revaluation board and then by the subject expert, who opined that there is no change in the marks earlier awarded to him, i.e. 74 marks out of 75. Respondents have specifically stated in their counter affidavit that the examiner has valued the answer to question No.7 in accordance with the scheme of valuation prepared by subject experts in Mathematics. Merely because the petitioner was expecting 75 marks out of 75 in the said subject and he did not secure such marks, it cannot be said that the valuation is illegal or arbitrary. The contention of the learned counsel for the petitioner that the valuation of the examiner is erratic cannot be accepted for the reason that the answer script of the petitioner was valued twice, i.e. once by a team of three lecturers and the second time, by the subject expert. Furthermore, in a subject like Mathematics, it is not only the end result that matters, but it is also the method

adopted and steps used by the petitioner to arrive at the solution. Petitioner also seeks directions for revaluation of his answer script. However, it is well settled that unless there is a provision for revaluation under the regulations framed by a Board/University, the request of a candidate, who claims to have fared well in the examinations, to revalue his answer scripts, cannot be entertained. Except the petitioner's own assessment, there is no other material to show that he was awarded less marks than he expected. It is to be seen that expectation of students is not the criterion for awarding marks. It is for the examiners, who are experts in the field, to look into a particular answer and make their own assessment for awarding marks, having regard to the nature of question and the way in which students answer it. Respondents have re-verified the answer script of the petitioner, as requested by him, whereby no change was found in the marks, which were previously awarded to him. For the foregoing reasons, no direction as sought for can be given.

8. The Writ Petition is devoid of merits and is accordingly dismissed. No costs.

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JUSTICE R. SUBHASH REDDY.

February 23, 2007
MRR